

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

**Jeffrey W. Thibodeau,**

**Civil No. 06-458 JNE/SRN**

**Petitioner,**

**v.**

**ORDER**

**Terry Carlson,**

**Respondent.**

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated January 5, 2007. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendant's Motion to Dismiss Petition for Writ of Habeas Corpus (Doc No. 5) is

**DENIED AS MOOT.**

DATED: January 31, 2007.

s/ Joan N. Ericksen

Judge Joan N. Ericksen

United States District Court Judge